



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

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Tuesday, March 5, 2013

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Gallops, Councilmember Miller and Councilmember Kilgore

Absent: Councilmember Pankratz

1. CALL TO ORDER

Mayor Pro Tem Phillips called the meeting to order at 5:30 p.m.

2. EXECUTIVE SESSION

There were no Executive Session items.

3. WORK SESSION ITEMS

Mayor Gottel arrived at the meeting at 5:37 p.m.

3A. Discuss the Rowlett Police Department's 2012 Annual Traffic Contact Report. (15 minutes)

Chief Brodnax gave a brief history of the report. Spoke regarding Law and Policy Standard; vehicles stopped by race; searches by race; and arrests by race.

3B. Discuss the renewal of the Red Light Camera Enforcement Program with ACS State and Local Solutions, Inc. (30 minutes)

Chief Brodnax spoke concerning the number of accidents that occurred at red light camera intersections since 2009, as well as the number of red light camera violations that have occurred. Stated the traffic count totals have decreased from 2009 to 2012; and with the opening of the President George Bush Turnpike, the number of vehicles on the roads have declined.

It is anticipated that revenue will be zero or negative going forward under the current terms of the contract. The last ten months of the fiscal year experienced a net loss.

After review of the analysis, the Police Department has determined that there is no statistical data to substantiate that accidents are occurring due to running red lights at the intersections where cameras have been installed.

A member of Council stated there are other means to achieve increase in safety through other methods. Another member of Council stated in other states, there is potential litigation regarding red light cameras.

3C. Update on 83rd Texas Legislative Session. (15 minutes)

Brian Funderburk, Assistant City Manager, spoke regarding this item. Stated as of February 22nd, the Senate has filed 500 bills and the House has filed 1,157 bills, many of which impact local governments. March 8th is the final day for filling bills and joint resolutions.

On February 11-12, a contingency of City staff, Councilmembers, and members of the Rowlett Chamber of Commerce visited with Rowlett's State elected officials in Austin. Stated the City prepared a flyer to better acquaint our legislators with the City and our legislative priorities. Spoke regarding key priorities that were identified from the December 4, 2012, Council Meeting.

3D. Discuss and provide direction on a preliminary proposal from Dave Holl, Kayak Instruction Inc. regarding a request to allow an office/storage use at 6809 Miller Road, in part to supplement the existing Kayak program located north of the subject property at Paddlepoint Park. (30 minutes)

Erin Jones, Planning and Zoning Director, gave a brief history of this item. Stated the program has gained region wide popularity and draws people from across the Metroplex; with that, the demand for the program has grown, so has demand for additional kayaks within close proximity to the park. Mr. Holl recently purchased 3809 Miller Road in the hopes of using the property both as a primary residence and office, as well as constructing a permanent storage building to house an additional 200-300 kayaks to serve his non-profit kayaking business and the program at Paddlepoint Park. Due to the size of the accessory structure and the fact that it will be used for a non-residential purpose the uses do not qualify for a home occupation permit. A Planned Development Zoning change will be the only way to allow for the variety of uses.

A member of Council voiced concern regarding how the adjacent property owners felt about this proposal.

Mayor Gottel called on Mrs. Moore, a neighbor to Mr. Holl. Mrs. Moore voiced opposition to allowing a business at this location.

A member of Council was pleased with how well the kayak business is doing; another member of Council spoke regarding permissible building sizes.

Staff stated if the building was used for purely a residential use, the building would be allowed.

Jermel Stevenson, Parks and Recreation Director, stated Mr. Holl's business has outgrown the storage space that is currently located at Paddlepoint Park.

A member of Council stated the structure must be compatible with the area and not industrial looking but screening would also be required. Furthermore, voiced concern regarding the trees on the property.

- 3E. Discuss the \$2.8M Utility Fund Cash CIP Allocation Plan. The funding for this initiative is provided for by the October 2012 Utility Rate Increase. The plan includes procurement of staff, equipment, materials, and services required to maintain, repair, and upgrade the Utility system. (45 minutes)

Lynda Humble, City Manager, presented the background on this item.

Jim Proce, Public Works Director, and Tim Rogers, Utilities Operation Manager, spoke regarding the vision and the value of the Plan, as well as the City's initiative. Spoke concerning staff selection and training process, line replacement, infrastructure improvements, reliability initiatives, and multiple maintenance programs.

Staff stated the following will significantly reduce the vulnerabilities of the current system:

- No less than five miles of lines replaced annually initially
- All manholes to be epoxy coated in ten years
- Replacement of supervisory control and data acquisition
- Every hydrant will be touched no less than once annually with increased value maintenance
- Replacement of all failing valves
- Backup power to ensure reliability issues are addressed
- Acquisition of required equipment and technology
- Infrastructure inventory and integration of GIS and GPS
- Lift and pump station enhancements; towers and tanks inspections and planning
- Culture of continuous improvement; accreditation; business plan development

Staff posed the question as to why all of this is so important.

- Asset management is a systematic process of operating, maintaining, upgrading, and disposing of assets cost-effectively
- An objective of providing the best possible service to users; with expectation of reliability

- This strategy ties to our mission – to provide quality services with the least disruption to our community
- If we do it right then we are invisible and our quality of life goes on uninterrupted
- Planned maintenance ensures our efforts are focused on preventive measures; not reactive
- Good programs have components of condition analysis; inventory and inspection
- Good programs regardless of the type of asset require reinvestment in system
- Good programs are planned yet with capacity to be prepared for unanticipated failures

Spoke to the external and internal factors that caused our current challenges, as well as the reinvestment in capital maintenance.

Spoke concerning key initiatives including:

- Pipe bursting
- SCADA upgrades
- Backup power
- Lift station improvements
- Enhance maintenance and replacement plans
- Inflow and infiltration program

Staff stated change will not occur overnight as it took decades of neglect for the system to be as it is today.

4. DISCUSS CONSENT AGENDA ITEMS

No items were removed from the Consent Agenda to be considered individually.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:30 p.m.

INVOCATION

The invocation was led by Assistant Pastor Jin Lee, Lake Cities Community Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the City Council.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by the City Council.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamation recognizing the month of March as Red Cross Month.

Councilmember Kilgore presented Don Poovey, Interim Fire Chief and a member of the Red Cross, with a proclamation recognizing the month of March as Red Cross Month.

5B. Hear presentation of the Monthly Financial report for the period ending January 31, 2013.

Brian Funderburk, Assistant City Manager, gave a presentation regarding the Monthly Financial report for the period ending January 31, 2013. Spoke regarding Revenues, Sales Taxes; Property Taxes; Water Fees; Sewer Fees; Expenditures and various Funds.

5C. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Mayor Gottel gave a brief update to the Council on the various activities in the City including the next Planning and Zoning Commission meetings will be held on Tuesday, March 12th and 26th; the next City Council meetings will be held on Tuesday, March 19th; the Great Texas Warrant Roundup is underway and will last through March 9th; the March Clean Up Campaign will last the entire month of March; the last day to register to vote in the May Election is Thursday, April 11th; Early Voting for the May Election will begin April 30th – May 7th with May 11th being Election Day; the Animal Shelter will host a Low Cost Animal Vaccination Clinic on Saturday, March 9th and 23rd beginning at 2:00 p.m.; the Rowlett Library will host Spring Break at the Library the week of March 11th – March 15th, Tech Ed will present Craigslist on Tuesday, March 5th and Friday, March 22nd beginning at 6:30 p.m., and one-on-one tech help is available every Friday, call the Library for reservations, and the entry due date for the Annual Writing Contest is Monday, April 29th; Parks and Recreation Department will host Spring Break at the Rowlett Community Centre the week of March 11th – 15th, the Mother-Son Bowl Event will be held at the Bowl-a-Rama on Friday, March 15th beginning at 7:00 p.m., the Eggstraordinary Egg Hunt will be held on Saturday, March 23rd at 10:00 a.m. on the front lawn of City Hall, and Art Class are available at the Community Centre, call for further details.

6. CITIZENS' INPUT

1. Susette Geissler, 7318 Birchmont Drive, Rowlett – Spoke regarding the City's invocation policy.

2. Randy Word, 7605 Bridlewood Court, North Richland Hills – Spoke regarding the City's invocation policy.
3. Terry McDonald, 1332 Martin Court, Grapevine – Spoke regarding the City's invocation policy.
4. Chad Aldridge, 3309 Auburn, Rowlett – Spoke regarding the City's invocation policy.
5. Julio Rosario, 2209 Sage Lane, Bedford – Spoke regarding the City's invocation policy.
6. LaVerde Feagons, 1356 River Ridge Boulevard, Grand Prairie – Spoke regarding the City's invocation policy.
7. Larry Beckham, 9313 Willard Street, Rowlett – Spoke regarding Item 8A.

7. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

The City Secretary read the items into the record.

- 7A.** Consider approving minutes from the February 13, 2013, City Council Joint Meeting and the February 19, 2013, City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider a resolution accepting the Rowlett Police Department's 2012 Annual Traffic Contact Report.

This item was approved as RES-023-13 on the Consent Agenda.

- 7C.** Consider a resolution ratifying the City Manager's approval of an amendment to the City's Interlocal Cooperative Agreement with the North Central Texas Council of Governments for Phase II of the City of Rowlett's Sustainable Development Infrastructure project in order to add \$2.5 Million in funds to the agreement and acknowledging the City's commitment to a 20% contribution.

This item was approved as RES-024-13 on the Consent Agenda.

- 7D.** Consider action to approve a resolution awarding the annual bid for the crack seal program in the unit amounts bid and in an estimated annual amount of \$150,000 as work is required for the City of Rowlett Street Department to Delta Prime Specialty Services, Incorporated and authorizing the execution of the necessary documents for said purchase.

This item was approved as RES-025-13 on the Consent Agenda.

- 7E. Consider approving a resolution for Change Order Number 8 to the contract with Tri-Con Services, Incorporated in the amount of \$47,104.10 for lowering an existing 24-inch water line and authorizing the Mayor to execute such change order.

This item was approved as RES-026-13 on the Consent Agenda.

- 7F. Consider a resolution approving Change Order Number 9 to the contract with Tri-Con Services, Incorporated in the amount of \$211,972.67 for constructing water line connections to the water lines in Merritt Road to enable connections for the Lower Pressure Plane from the Rowlett Road Pump Station and authorizing the Mayor to execute such change order.

This item was approved as RES-027-13 on the Consent Agenda.

- 7G. Consider approving a Joint Election Contract with Dallas County Elections Department for the May 11, 2013, General Election and the possible June 15, 2013, Run-Off Election.

This item was approved on the Consent Agenda.

- 7H. Consider approval of a resolution in support of Rowlett citizens seeking relief from significant noise generated from the President George Bush Turnpike Eastern Extension that negatively impacts their quality of life.

This item was approved as RES-028-13 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A. Consider a resolution authorizing the City Manager to enter into an economic development incentive agreement with Arcadia Realty Corp. (The Homestead at Liberty Grove) for the development of a single family neighborhood located in the Woodside Living New Neighborhood Form Based District.

Mayor Gottel read the item into the record.

Erin Jones, Planning Director, gave a brief history of this development. Stated Form Based Code (FBC) provide applicants with a more streamlined process by allowing for administrative approvals, this is paired with much higher design standards than conventional zoning, which in turn will produce projects that will retain long-term value to the City. However, it also requires a more substantial investment from the development community up front than conventional zoning. Thus incentives will be required, especially in the first few catalyst projects for each development type, in order to prove up the market and remove barriers to development.

Jim Grabenhorst, Economic Development Director, spoke regarding the economic impact of the project. Stated The Homestead at Liberty Grove will be a \$200,000,000 multi-phased private investment generating in excess of \$1,500,000 in annual property tax revenue to the City upon build out over the next 8-10 years; creating a significant number of indirect construction jobs and providing a diversification of housing options for the citizens of Rowlett. As part of the FBC process, approximately \$11,800,000 dollars will be public improvements in the form of water, sewer, streets, electric, gas, streetlights and public open space amenities.

Upon receipt of the incentive request, City staff from the Public Works Department conducted an evaluation of the various impact fee categories (water, waste water and roadway) to determine if any capital improvements or facility expansions were necessary. Based on the fact that the applicant is requesting a waiver of impact fees for Phases 1-3 only, and staff has confirmed that there are no associated "hard costs" to the City related to approving the request, staff considers this request a "pay for performance" request that will be at no direct cost to the City. Arcadia receives no incentive unless they deliver the proposed product. Thus from the standpoint of risk, staff considers this request to be low risk, with a high return on investment for the City.

A member of Council commented on the language used in the staff report. Stated the City was "forgiving" the fees for the project; in turn, giving the developer a marketing program. It was reiterated that the City would not be giving funds to the developer.

A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as read. The motion carried by a unanimous vote of those members present. This item was adopted as RES-029-13.

- 8B. Consider a resolution approving the proposition language for a Special Election to be held May 11, 2013, to amend the Rowlett City Charter.

Mayor Gottel read the item into the record.

Laura Hallmark, City Secretary, provided a brief history of the work of the Charter Review Commission and presented the proposed language for the charter amendment propositions.

A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as read. The motion carried by a unanimous vote of those members present. This item was adopted as RES-030-13.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

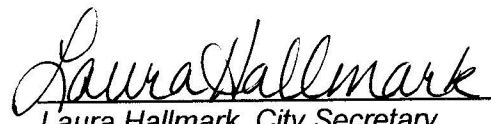
There were no Executive Session items to discuss.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 8:38 p.m.



Todd W. Gottel, Mayor



Laura Hallmark, City Secretary

Date Approved: March 19, 2013